

Prior law (R.S. 18:59) provided that a deputy registrar of voters must have been a resident and qualified voter of the parish in which he was to perform his duties. New law provides instead that a deputy registrar must be a qualified voter of the state of La.

Existing law (R.S. 18:103 and 115) provides relative to forms that may be used to apply to vote, including the national voter registration form. Prior law specified that the national form was promulgated by the Federal Election Commission. New law specifies that the national form is the national mail voter registration form and changes "Federal Election Commission" to "United States Election Assistance Commission".

Existing law (R.S. 18:115) provides relative to registering to vote by mail. Provides that any registered voter who has registered by mail and has not previously voted in the parish in which he is registered shall vote during early voting in the office of the registrar of voters or in person at the precinct in which he is registered to vote. Provides certain exceptions. New law provides an additional exception for program participants in the La. Dept. of State Address Confidentiality Program.

Prior law (expired July 2006) provided an exception for displaced persons who registered to vote by mail during a specified time period. Provided that upon the expiration of the exception, any voter who voted absentee by mail pursuant to the exception who had not voted during early voting or at the polls on election day could not be considered to have previously voted in the parish in which he was registered and was therefore required to vote in person. New law repeals prior law.

Prior law (R.S. 18:151) provided that records used for the conduct of the registrar's office could be released upon request to the control of the secretary of state or his designee for the sole purpose of entering registration information into the state voter registration computer system. New law provides that such records may be released upon request to the secretary of state, but only for scanning; information from such records may be entered into the voter registration computer system only upon the request of the registrar.

Existing law (R.S. 18:196) provides for an inactive list of voters. Provides that the names of registrants on the inactive list shall not be counted in computing the number of ballots required for an election, the number of voters required to divide or constitute a precinct, the number of signatures required on any petition, or the number of registered voters necessary to recognize or determine the organization of a political party or committee. New law additionally provides that the names of the registrants on the inactive list of voters shall not be counted in computing the number of commissioners at a precinct or the number of voting machines to be allocated and used at a precinct.

Existing law (R.S. 18:423) provides that each member of the parish board of election supervisors shall receive \$50 for each day actually spent in the performance of his duties in preparing for and supervising each election held in the parish. Existing law provides that the members of the board may be compensated for no more than six days spent in performing such duties. New law adds an exception, provides that the members of the board may be compensated for up to seven days for a presidential or regularly scheduled congressional general election.

Existing law (R.S. 18:427) provides for watchers to be present at the polls to call infractions of law to the attention of election commissioners. Prior law provided that a watcher must be a qualified voter. New law specifies that a watcher must be a qualified voter of the state of La.

Existing law (R.S. 18:428) provides limitations on the presence of law enforcement officers at polling places. Prohibits law enforcement officers from being stationed at polling places. Allows for law enforcement officers to assist commissioners in preserving order, enforcing the election laws, and protecting election officials from interference with the performance of their duties. Prohibits a law enforcement officer from entering a polling place except to vote or to assist commissioners. Prohibits a law enforcement officer from interfering with the conduct of the election, the voters, or the election officials. New law specifies that existing law applies on election day.

Existing law (R.S. 18:1309) provides procedures for early voting. Allows a registrar to use law enforcement officers to maintain order at any location where early voting is conducted. New law additionally provides that a law enforcement officer shall not interfere with the conduct of the election, the voters, or the election officials.

Existing law (R.S. 18:431) requires the clerk of court to conduct courses of instruction for commissioners. Provides for two courses of instruction: a general course, which must be conducted at least semi-annually and a pre-election course, which must be conducted not less than four days prior to an election.

Existing law provides that the clerk is not required to conduct the pre-election course of instruction if he gives notice to certain officials at least 14 days before the election. New law, however, provides that the clerk of court shall conduct at least one pre-election course of instruction prior to a presidential or congressional general election.

Existing law (R.S. 18:562) provides prerequisites to voting on election day. Provides procedures for identifying a potential voter. Provides that the potential voter may present a La. driver's license or a La. special identification card issued pursuant to existing law.

Existing law (R.S. 18:1309) provides procedures for early voting. Requires that the identity of a potential voter be established prior to voting. Provides for submission by the potential voter of a La. driver's license or La. special identification card issued pursuant to existing law.

Existing law, relative to voting on election day and early voting, provides that a potential voter may present another generally recognized picture identification card for purposes of establishing his identity so long as the card contains the name and signature of the potential voter. Prior law required that the card also contain the address of the potential voter. New law removes the requirement that the picture identification contain the address.

Existing law (R.S. 18:566.2) provides relative to the tabulation and counting of provisional ballots for federal office. Provides that provisional ballots are counted on the third day following the election. New law additionally provides that for a presidential or regularly scheduled congressional general election, the provisional ballots may be counted on the third or fourth day, or both, following the election.

Existing law (R.S. 18:1253) provides procedures for nominations for candidates for presidential electors made by recognized political parties. Requires the filing of a certificate and affidavits.

Existing law provides that if the nominees for president and vice president nominated by a national convention of a recognized political party, together with a slate of candidates for the offices of presidential electors to support such nominees, are not properly certified to the secretary of state by the state central committee of that party prior to 5:00 p.m. on the first Tues. in Sept., the national chairman of the political party, after notifying the chairman of the state central committee of that political party, shall certify a slate of electors to support such nominees. Prior law required the national chairman to certify the slate of electors within 72 hours after the first Tues. in Sept. deadline. New law removes the 72-hour deadline and provides instead that the national chairman must certify a slate of electors by 5:00 p.m. on the first Fri. following the first Tues. in Sept. Provides further that if the required certificate and affidavits are not filed timely with the secretary of state, the secretary of state shall endorse the date and time of receipt upon all documents and shall return them forthwith, either personally or by registered or certified mail, to the national chairman of the political party.

Existing law (R.S. 18:1254) provides procedures for the nomination of independent candidates for presidential elector. Provides that a slate of independent candidates for presidential elector may be nominated by nominating petition or by the payment of a qualifying fee.

Existing law provides that the period for filing the nominating position or qualifying fee begins on the first Tues. in Aug. Prior law provided that the period for filing the fee ended at 5:00 p.m. on the first Tues. in Sept. New law provides that the period for filing the qualifying fee ends at 5:00 p.m. on the first Fri. following the first Tues. in Sept.

Existing law provides that each qualifying fee or nominating petition shall be accompanied by the notarized affidavit of each candidate for elector signifying his acceptance of the nomination. New law provides that each candidate for elector must also submit a notice of candidacy, along with the qualifying fee or nominating petition. Provides additionally that if the notice of candidacy and notarized affidavit of each candidate for elector, together with the qualifying fee or a nominating petition, are not filed timely with the secretary of state, the secretary of state shall endorse the date and time of receipt upon all documents and shall return them forthwith, either personally or by registered or certified mail, to the candidate or the person who filed them.

Existing law (R.S. 18:1307) provides requirements and procedures for applying to vote absentee by mail. Provides that, subject to certain exceptions, an application must be received by the registrar not earlier than 60 days before the close of the polls for the election for which it is requested. Prior law required that, subject to certain exceptions, an application be received by the registrar no later than 96 hours before the close of the polls for the election for which it is requested. New law changes the deadline for submitting an application to 4:30 p.m. on the fourth day prior to the election.

Prior law, (R.S. 18:1308) relative to procedures and requirements for voting absentee by mail, required, subject to certain exceptions, that a ballot be received by the registrar before election day in order to be counted. New law changes the deadline for receiving a ballot to 4:30 p.m. on the day before the election.

Prior law, (R.S. 18:1309) relative to procedures for early voting, required a voter to sign the precinct register prior to voting, unless the voter was voting at a branch office, in which case he was required to sign and date a list kept by the registrar prior to casting his vote. New law provides instead that the voter shall sign or make his mark in the precinct register or list kept by the registrar prior to voting.

Existing law allows a registrar, upon approval by the secretary of state, to use commissioners to assist the registrar during early voting. Prior law required such commissioners to be selected in accordance with existing law provisions relative to selection of election day commissioners. New law removes the requirement that early voting commissioners be selected in the manner provided in existing law for election day commissioners. Provides instead for selection and training of early voting commissioners by the registrar.

New law additionally requires an early voting commissioner to have been certified as having successfully completed a course of instruction conducted by the clerk of court. Prohibits a person from serving as an early voting commissioner if one of the following applies:

- (1) The person is a candidate in the election.
- (2) An immediate family member of the person is a candidate for election to public office in the election.
- (3) The person is marked for assistance in voting in the precinct register or requires the use of the audio ballot in voting.
- (4) The person has been convicted of an election offense enumerated in the election code.

Existing law (R.S. 18:1400.3) provides relative to payment of election expenses incurred by clerks of court and registrars of voters. Provides for the payment of all or a part of such expenses by the secretary of state for certain specified elections and under certain circumstances. Provides that only certain specified expenses may be paid in whole or in part by the secretary of state. New law adds to these expenses postage for absentee by mail ballots.

Existing law (R.S. 18:1315) provides for challenges of absentee by mail and early voting ballots. Provides that a candidate or his representative, a member of the parish board of election supervisors, or a qualified elector may challenge an absentee by mail or early voting ballot by filing a written challenge with the registrar no later than the fourth day before the election. Provides that a written challenge may only be made on the grounds that the applicant is not qualified to vote in the election, not qualified to vote in the precinct, or is not

the person whose name is shown on the precinct register. Provides for determining the validity of challenges. Provides that if a written challenge is sustained, the vote shall not be counted and that the voter must be notified in writing of the challenge and the cause therefor.

Prior law required notice to the voter of a written challenge to be sent by certified mail, return receipt requested. New law repeals prior law; requires notice by mail.

Existing law provides for challenge of an absentee by mail or early voting ballot on other grounds during the counting of the ballots. Provides for hearing and determination of the validity of such a challenge. New law additionally provides that the board shall notify the voter in writing of the challenge and the cause therefor. Requires the notification to be on a form provided by the secretary of state and be signed by at least a majority of the members of the parish board of election supervisors. Requires the notice of the challenge and the cause therefor to be given within three days by mail addressed to the voter at his place of residence. Requires the board to retain a copy of the notification.

Prior law, (R.S. 18:1363) relative to determining the number of voting machines to be allocated for each precinct, provided for one machine for each precinct where 600 or less voters were registered to vote at the last general election. New law provides for one machine for each precinct where 300 or less voters were registered. Changes the time at which the number of registered voters is determined from the last general election to 30 days prior to the election.

Prior law provided for two machines for each precinct where more than 600 but not more than 1,000 voters were registered to vote at the last general election. New law provides for two machines for each precinct where more than 300 but not more than 1,000 voters were registered. Changes the time at which the number of registered voters is determined from the last general election to 30 days prior to the election.

Existing law provides for three machines for each precinct where more than 1,000 but not more than 1,400 voters are registered and for four machines for each precinct where more than 1,400 voters are registered. Prior law provided that the number of registered voters was determined as of the last general election. New law changes the time at which the number of registered voters is determined to 30 days prior to the election.

New law provides further that the parish board of election supervisors may submit a written request to the secretary of state, on or before the 23rd day prior to an election, to reduce the number of voting machines to be allocated and used in an election other than a bond, debt, or tax election; an election at which a proposition or question is submitted to the voters; or a presidential preference primary. Provides that the written request shall include the number of voting machines to be reduced and an explanation of the need for the reduction in voting machines. Provides that if the secretary of state determines that the reduction in voting machines is feasible, he may reduce the number of voting machines.

Existing law (R.S. 18:1372-1373) provides relative to preparation of voting machines, including testing and adjusting of machines. Provides for notice and procedures. Provides for observation and inspection by a candidate, his representative, or a citizen of the parish. New law provides additionally for the production of test vote reports for voting machines and for review of test vote reports.

New law makes various technical changes.

Effective August 15, 2009, except that provisions of new law relative to the allocation of voting machines, early voting commissioners, challenges of absentee by mail and early voting ballots, and the testing and preparation of voting machines are effective Jan. 1, 2010.

(Amends R.S. 18:59(A), 103(A), 109, 115(A)(1) and (F)(2)(d), 151(B), 152(C)(1), 175, 196(A)(1), 423(E), 427(A), 428(A), (B), and (C), 431(B)(5), 433(A)(3), (B)(4), (G)(1) and (2)(intro. para.), (H)(1)(intro. para.), (I), and (J), 465(E)(1), 562(A)(2), 566.2(C), 1253(E), 1254(A) and (C), 1255(A), 1272(A), 1275.1(B), 1275.8, 1306(A)(2) and (3) and (B)(1), 1307(B)(2), 1308(C), 1309(A)(3), (B)(1), (C), (D)(1), (E)(2), (I), and (J), 1315(C)(2) and (3)(a), 1363(A), 1373, 1400.3(D), 1505.1(D), and 1505.2(H)(6)(a)(intro. para.), (Q)(3)(a)(ii), and (R)(3)(a)(ii); Adds R.S. 18:1253(F), 1254(E), 1309(K), and 1363(H); Repeals R.S. 18:433(A)(2) and 1372)

